

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – DECEMBER 12, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12th day of December 2018 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 9:12 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge
John A. Amsler, Commissioner Precinct 1
Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

Absent: Russell Klecka, Commissioner Precinct 2

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Barnett

1. **Approval of Agenda.**

Motion to **approve** agenda with a correction to item #23 by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT – None

CONSENT AGENDA

Items identified within the consent agenda are of a routine nature, and will be passed with one vote without being discussed separately. If a member of the court or public requests that a particular item be discussed, that agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

2. **Approval of the minutes** – December 5, 2018 Regular Session

3. **Request by County Treasurer for approval of Longevity Payroll.**

4. **Request to approve payment on the following:**

(a) \$80.00 for invoice #18547412 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice #18112412 [Courthouse Camera Surveillance], for a total of \$1075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

(b) \$2,887.00 for invoice # AH018400 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

(c) \$11,872.85 for invoice #107997 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

- (d) \$15,860.48 for invoice #18477-200.0220-2-5 to Sedalco Construction Services from line item 601-601-581000 [Bldg. Purch., Cons. Or Impro.].
- (e) \$4,135.00 for invoice #NRDD-0004027 to Texas Association of Counties from line item, 125-411-560300 [Ins Equip/Build/Pub Liab].
- (f) \$68,355.00 for invoice #1018WCA1801 to TurnerDuran Architects from item line item 125-600-581610 [Precinct 4 Bldg.].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
 Motion to **approve** consent agenda by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Absent</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

DISTRICT ATTORNEY

6. **Presentation** by Waller County District Attorney on the Pretrial Diversion Program with Doctor Tamara L. Brown. *No action required.*

ECONOMIC DEVELOPMENT

7. **Presentation** of quarterly report by Vince Yokom. *No action required.*

8. Discuss and take action to terminate Tax Abatement Agreement with PME Oakmont West Ten, LLC.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Absent</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

9. Discuss and take action to approve Tax Abatement Agreement with Houston Property Partners II, LLC and Southern Glazer’s Wine and Spirits of Texas, LLC.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Absent</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

10. Discuss and take action to amend Tax Abatement Agreement with WCF, LLC.
Discussion only – no action taken.

11. Discuss and take action to approve Drainage Right-Of-Way Easement from WCF, LLC.
Discussion only – no action taken.

12. Discuss and take action to approve the 2019 Agreement between Waller County and the Waller County Economic Development Partnership.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Absent</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

COUNTY ENGINEER

13. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling, by Antonio and Romelia Salazar.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to approve the amount up to \$120.00 per person for Waller County Road and Bridge Department to pay for safety boots for 2018 and 2019.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

15. **Public Hearing:** On the application for the replat of Lots 26 and 27, Section 1 of Kickapoo Hills Subdivision by CenterPoint Energy Houston.

Public Hearing began at 10:02 a.m.

Mr. Walter Smith, surveyor for Kickapoo Hills Subdivision commented on the project.

Public Hearing ended at 10:06 a.m.

16. **Award Bid:** Hegar Road Intersection Realignment.

Motion to **award** bid to Carter Construction by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

17. Discuss and take action to rescind Commissioners Court Order to certify \$20,387.00 of FEMA Funds and placed in line item 110-530-590000 [Bridge Replacement] in the 2018 Budget.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

18. Discuss giving Pine Island signage and barrels for use during the Waller County Fair and other events at this location. *No action required.*

506TH DISTRICT JUDGE

19. Discuss and take action to approve the Contract Indigent Defense attorneys for Waller County for Calendar year 2019, and authorize the County Judge to sign the contracts on behalf of the County.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion to **table** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TREASURER

20. Discuss and take action to approve the following transfer from within the Treasurer Budget:
\$640.00 from 125-436-563000 [Training and Conference] to 125-436-581800 [Furniture and Equipment].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

21. Discuss and take action for annual review and approval of Waller County Investment Policy.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

22. Discuss and take action to approve 2019 Salary Order.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

IT DEPARTMENT

23. Discuss and take action to approve the following line item transfer from within the IT Budget:

\$2,770.44 from 125-441-540900 [Prof Consultant Services] to the following:
\$2,220.00 to 125-441-540905 [Recovery & Retention] and
~~\$40.00~~ **\$550.44** to 125-441-581700 [Equipment].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

FIRE MARSHAL

24. Discuss and take action to open Request for Qualifications (RFQ) for Engineering/Architectural/Surveying Services.

The following bids were submitted and opened in Court:

1. Strand Associates (Harvey CDBGR-DR)
2. Kaluza and Assoicates (Harvey CDBGR-DR)
3. EHRA (Harvey CDBGR-DR)
4. Jones & Carter (Harvey CDBGR-DR)
5. John Mercer & Associates (Harvey CDBGR-DR and CDBG 2019-2020)
6. Gessner Engineering (CDBG 2019-2020)
7. JF Fontaine (CDBG 2019-2020)

25. Discuss and take action to approve sponsorship of G&W Water Supply Corporation for a 2019/2020 Texas Community Development Block Grant Application for submission to the Texas Department of Agriculture.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

AUDITOR

26. Discuss and take action to approve line item transfers.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

27. Discuss and take action to approve Order prohibiting or restricting certain fireworks in unincorporated areas of Waller County.

Motion to **table** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

28. Discuss and take action to approve the Waller County Historical Commission members for 2019-2020.

The following names were submitted by the Waller County Historical Commission:

Truett & Lynn Bell, Helen Boyer, Sandy & Janet Buller, Carol Eplen, Lyn Harris, Annette Kerr, Bill Kitzman, Clarence Miller, Florine Muse, Johnny Nimmons, Etta Palmer, Frederick Roberts, Judy Robinson, Erin Sanders, Lisa Stafford, and Sharon Tisdell.

Motion to **approve** by Commissioner Amsler, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

29. Discuss and take action to approve the 2019 Appointment for the HGAC Transportation Policy Council. Keep Beck as primary yancy as secondary

Motion **made** to keep Justin Beckendorff as Primary and Yancy Scott as Alternate by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

30. Discuss and take action to approve the 2019 Appointment for the HGAC Technical Advisory Committee. Keep the same Yancy primary dewayne as alternate

Motion **made** to keep the same, Yancy Scott as Primary and Dewayne Davis as Alternate by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:06 a.m.

I **ATTEST** TO THE ACCURACY OF THE FORGOING MINUTES:

Debbie Hollan

Debbie Hollan, County Clerk
And Ex-Officio Clerk of the Commissioners'
Court of Waller County, Texas



APPROVED this the 19th day of December 2018.

Trey Duhon, III

Carbett "Trey" J. Duhon, III
County Judge